IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE
PRESENT
THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY
and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 10753 of 2004

Between:

M/s Mithra Agencies, a regd. Partnership firm, rep. by its Managing Partner, M.Chadndrasekharam S/o. M.Venkateswarlu 62 years R/o. Vijayawada.

..... PETITIONER

AND

1 M/s Associated Auto Service 27-2-20, Prakasam Road, Vijayawada, rp. by Sri P.D. Prasad S/o. Verhala Rao R/o. Vijayawada.
2 M/s Maruthi Udyog Limited 11th Floor, Jeevan Prakash, Kasturba Gandhi Marg, New Delhi rep. by its Chairman and Managing Director Mr.Jagadish Kattar.
3 Registrar, A.P. State Consumer Disputes Redressal Commissioner, Khairatabad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate writ, order or direction preferably a writ in the nature of writ of mandamus, directing the 3rd respondent not put into execution the order passed by the 3rd respondent dt.23.6.2004 made in P.P.I.A, No.889/2004 in P.P. No.19 of 2004 in c.d. No.136 of 2001 till the petitioner prefers and Appeal together with application seeking appropriate interim orders before the National Commissioner New Delhi and consequently to stay all further proceedings in furtherance to the said order Dt.23.6.2004 .

Counsel for the Petitioner:MR.P.VENUGOPAL

Counsel for the Respondents : GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following :

ORDER: (per BRSR,J)

It is stated by the learned counsel for the petitioner that the petitioner had already availed the remedy available in law by preferring an appeal against the impugned order before the National Commission, New Delhi.

In the circumstances, the cause does not survive requiring any adjudication. The writ petition fails and shall accordingly stand dismissed. Consequently, the interim order granted by this Court shall stand vacated.

(B.Sudershan Reddy,J)

Dated:21-02-2005

(C.V.Ramulu,J)

GJ/GS

To

1 The Chairman and Managing Director, M/s Maruthi Udyog Limited 11th Floor, Jeevan Prakash, Kasturba Gandhi Marg, New Delhi.

2 The Registrar, A.P. State Consumer Disputes Redressal Commissioner, Khairatabad, Hyderabad.

3 Two C.Cs. to the Government Pleader for Civil Supplies, High Court of A.P., Hyderabad. (OUT)

4 Two C.D. copies.